GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA

UNSTARRED QUESTION NO:3039
ANSWERED ON:22.03.2005
INDO- SWISS PATENT
Scindia Shri Jyotiraditya Madhavrao

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether a Swiss Delegation headed by the Head of Bilateral Economic Relations visited New Delhi recently;

(b) if so, whether they pressed for certain amendments to the Patents Act to bring India within the ambit of the new regime stipulated in the Trade Related Intellectual Property Rights Agreements of the WTO; and (

(c) the specific amendments demanded by the delegation and the Government's reaction thereto ?

Answer

MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY(SHRI E.V.K.S. ELANGOVAN)

(a) to (c): In its visit to India in October 2004, the Swiss delegation was informed about the efforts made by India to put in place intellectual property regime complying with obligations under the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) and also the initiatives taken to modernise the intellectual property administration. The Swiss side appreciated the initiatives and expressed concerns that some Swiss companies continue to face some problems with respect to intellectual property rights in India. Subsequently, an amendment to the Patents Act, namely, the Patents (Amendment) Ordinance, 2004, effective from January 01, 2005 was promulgated on December 26, 2004 to, inter-alia, comply with India's international obligations contained in the TRIPS Agreement which were due from January 01, 2005. This amendment introduces the product patent regime in inventions relating to food, drug and chemicals.